<u>REMARKS</u>

Favorable reconsideration of this application is respectfully requested.

Claims 1, 3-7, and 9-12 are pending in this application. Claims 2 and 8 are canceled by the present response without prejudice. The specification was objected to. Claims 3, 5, 6, 9, 11, and 12 were rejected under 35 U.S.C. § 112, first paragraph. Claims 1, 4, 7, and 10 were rejected under 35 U.S.C. § 102(b) as anticipated by JP 05-284501 to <u>Kato</u>. Claims 3, 5, 6, 9, 11, and 12 were rejected under 35 U.S.C. § 103(a) as unpatentable over <u>Kato</u>. Claims 2 and 8 were rejected under 35 U.S.C. § 103(a) as unpatentable over <u>Kato</u> in view of U.S. patent 6,766,059 to <u>Kondo</u>.

Addressing first the objection to the specification and the rejection of claims 3, 5, 6, 9, 11, and 12 under 35 U.S.C. § 112, first paragraph, that objection and rejection are traversed by the present response. Specifically, applicant respectfully submits the specification clearly supports the noted claimed subject matter to one of ordinary skill in the art.

First, with respect to claims 5 and 11 applicant notes the subject matter therein is disclosed in the specification at page 6, lines 7-17. With respect to claims 6 and 12 the subject matter noted therein is supported by the original specification also at page 6, lines 7-17, page 12, lines 10-19, and at page 14, lines 11-18. With respect to claims 6 and 12 the Office Action indicated the closest disclosure in the specification was at page 12, lines 10-19, but applicant notes that the subject matter in claims 6 and 12 is also supported by the original specification also at page 6, lines 7-17 and at page 14, lines 11-18.

Further, the outstanding objection and rejection to claims 5, 6, 11, and 12 notes it is unclear how a relative velocity is calculated by multiplying a distance by an object velocity. In reply applicant notes the object velocity is an object velocity in a photographic field, as specifically specified in the preamble of claim 1. In that respect applicant respectfully submits it is clear from a proportional relation between distance and velocity that a relative

velocity can be obtained by multiplying the distance by an object velocity in a photographic field.

In such respects applicant submits the specification and claims 5, 6, 11, and 12 are clear to one of ordinary skill in the art.

With respect to claims 3 and 9, applicant notes, as recognized in the Office Action, the disclosure in the specification at page 14, lines 19-26 fully supports that claimed subject matter. Applicant also submits one of ordinary skill in the art would clearly understand from that disclosure that N and M can be adaptively varied based on different parameters, and further that the initial conditions for N and M can be established as disclosed throughout the specification, i.e., as disclosed at portions in the specification prior to indicating that N and M may not be fixed.

In view of the foregoing comments, applicant respectfully submits the specification and claims 3, 5, 6, 9, 11, and 12 are proper under 35 U.S.C. § 112.

Addressing now the rejection of claims 1, 4, 7, and 10 under 35 U.S.C. § 102(b) as anticipated by Kato, and the further rejection of claims 3, 5, 6, 9, 11, and 12 under 35 U.S.C. § 103(a) as unpatentable over Kato, those rejections are traversed by the present response.

Applicant respectfully submits Kato does not in fact disclose the claimed features, and particularly, Kato does not disclose or suggest extracting "as an object area, a set of pixels from which an object has been sensed over at least M (M<N) of N successive frames including the present frame". Kato does not provide any indication that a set of pixels is extracted as an object area if the set of pixels is sensed in M frames over N successive frames. The noted disclosure in Kato at paragraphs [0008]-[0013] is not at all directed to extracting a set of pixels as an object area if the set of pixels is sensed in M of N successive frames. Kato does not disclose or suggest determining over any set of frames whether a

specific set of pixels is sensed. Thereby, <u>Kato</u> does not disclose or suggest such features positively recited in independent claims 1 and 7, and claims dependent therefrom.

Applicant also notes the grounds for rejection under 35 U.S.C. § 103 takes Official Notice of several propositions, and applicant traverses all those bases for Official Notice and require the prior art be cited for such bases. Applicant also notes <u>Kato</u> is not even directed to similar features as in claims 3, 5, 6, 9, 11, and 12. The only disclosures of the features in claims 3, 5, 6, 9, 11, and 12, and of benefits thereof, are applicant's own disclosures in the present invention, and applicant respectfully submits relying on applicant's own disclosures as a basis for the rejection is clearly improper.

Applicant also notes with respect to dependent claims 3 and 9 that those claims further recite that N and M are variable, which is clearly not at all suggested in <u>Kato</u>.

Further, with respect to claims 5, 6, 11, and 12, <u>Kato</u> clearly does not disclose or suggest the features recited therein directed to calculating a relative velocity between an imaging device and an object.
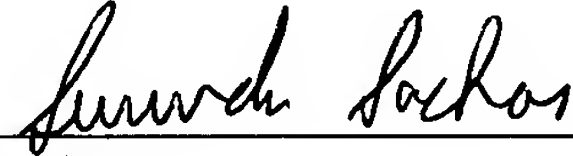
Thereby, applicant respectfully submits dependent claims 3, 5, 6, 9, 11, and 12 even further distinguish over <u>Kato</u>.

Addressing now the rejection of claims 2 and 8 under 35 U.S.C. § 103(a) as unpatentable over <u>Kato</u> in view of <u>Kondo</u>, that rejection is obviated by the present response as claimed 2 and 8 are canceled by the present response without prejudice.

As no other issues are pending in this application, it is respectfully submitted that the

present application is now in condition for allowance, and it is hereby respectfully requested

that this case be passed to issue.

Respectfully submitted,

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